



General Assembly

February Session, 2002

**Amendment**

LCO No. 4019

\*HB0525804019HD0\*

Offered by:

REP. O'ROURKE, 32<sup>nd</sup> Dist.

SEN. FONFARA, 1<sup>st</sup> Dist.

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REP. FLEISCHMANN, 18<sup>th</sup> Dist.

REP. SPALLONE, 36<sup>th</sup> Dist.

REP. BLACKWELL, 12<sup>th</sup> Dist.

To: Subst. House Bill No. 5258

File No. 376

Cal. No. 225

**"AN ACT REQUIRING NOTIFICATION OF VOTING OR VOTING  
REGISTRATION TO CONSERVATORS OF RESIDENTS IN  
CERTAIN INSTITUTIONS."**

1 In line 16, strike "(2) an absentee ballot application; or (3)" and insert  
2 "or (2)" in lieu thereof

3 After line 45, insert the following:

4 "Sec. 3. Subsection (b) of section 9-19h of the general statutes, as  
5 amended by section 6 of public act 01-26, is repealed and the following  
6 is substituted in lieu thereof (*Effective January 1, 2003*):

7 (b) In addition to the requirements of subsection (a) of this section,  
8 the Commissioner of Motor Vehicles, not later than January 1, 1994,  
9 shall include an application for the admission of an elector with each  
10 application form provided for a motor vehicle operator's license and a  
11 motor vehicle operator's license renewal, which are issued under

12 subpart (B) of part III of chapter 246, and with each application form  
13 provided for an identity card issued under section 1-1h. Such  
14 application form for the admission of an elector (1) shall be subject to  
15 the approval of the Secretary of the State, (2) shall not include any  
16 provisions for the witnessing of the application, and (3) shall contain a  
17 statement that (A) specifies each eligibility requirement, (B) contains  
18 an attestation that the applicant meets each such requirement, and (C)  
19 requires the signature of the applicant under penalty of perjury. [On  
20 and after January 1, 1994, the] The Commissioner of Motor Vehicles  
21 shall accept [in person] any such completed application for admission  
22 which is submitted in person or by mail. The applicant shall state on  
23 such form, under penalty of perjury, the applicant's name, bona fide  
24 residence address, date of birth, whether the applicant is a United  
25 States citizen, party enrollment, if any, prior voting address, if  
26 registered previously, and that the applicant's privileges as an elector  
27 are not forfeited by reason of conviction of a felony. No Social Security  
28 number on any such application form for the admission of an elector  
29 filed prior to January 1, 2000, may be disclosed to the public or to any  
30 governmental agency. The commissioner shall indicate on each such  
31 form the date of receipt of such application to ensure that any eligible  
32 applicant is registered to vote in an election if it is received by the  
33 Commissioner of Motor Vehicles by the last day for registration to vote  
34 in an election. The commissioner shall provide the applicant with an  
35 application receipt, on a form approved by the Secretary of the State  
36 and on which the commissioner shall record the date that the  
37 commissioner received the application, using an official date stamp  
38 bearing the words "Department of Motor Vehicles". The commissioner  
39 shall provide such receipt whether the application was submitted in  
40 person or by mail. The commissioner shall forthwith transmit the  
41 application to the registrars of voters of the applicant's town of  
42 residence. If a registration application is accepted within five days  
43 before the last day for registration to vote in a regular election, the  
44 application shall be transmitted to the registrars of voters of the town  
45 of voting residence of the applicant not later than five days after the  
46 date of acceptance. The procedures in subsections (c), (d), (f) and (g) of

47 section 9-23g, as amended by this act, which are not inconsistent with  
48 the National Voter Registration Act of 1993, P.L. 103-31, as amended  
49 from time to time, shall apply to applications made under this section.  
50 The commissioner is not an admitting official and may not restore,  
51 under the provisions of section 9-46a, electoral privileges of persons  
52 convicted of a felony.

53 Sec. 4. Subsection (b) of section 9-23g of the general statutes is  
54 repealed and the following is substituted in lieu thereof (*Effective*  
55 *January 1, 2003*):

56 (b) The Secretary of the State shall prescribe, and provide to  
57 registrars of voters, town clerks and voter registration agencies, as  
58 defined in section 9-23n, as amended by this act, application forms and  
59 other materials necessary to complete such application and admission  
60 process. The Secretary of the State, registrars of voters and town clerks  
61 shall provide a reasonable number of such forms and materials to any  
62 elector who requests such forms and materials. The secretary shall  
63 also, in the course of [his] the secretary's elections duties, prepare  
64 instructions and related materials describing procedures for such  
65 application and admission process and shall provide the materials to  
66 registrars of voters and town clerks. The application shall contain the  
67 information required under section 9-23h, as amended by this act. All  
68 statements of the applicant shall be made under the penalties of  
69 perjury. The application for admission as an elector shall include a  
70 statement that (1) specifies each eligibility requirement, (2) contains an  
71 attestation that the application meets each such requirement, and (3)  
72 requires the signature of the applicant under penalty of perjury.  
73 Nothing in this section or section 9-23h, as amended by this act, shall  
74 require that the application be executed in the state. An applicant who  
75 is unable to write may cause [his] the applicant's name to be signed on  
76 the application form by an authorized agent who shall, in the space  
77 provided for the signature, write the name of the applicant followed  
78 by the word "by" and [his] the agent's own signature. The completed  
79 application may be mailed or returned in person to the office of the  
80 registrars of voters or the office of the town clerk of the applicant's

81 town of residence or a voter registration agency. If the applicant  
82 entrusts [his] the applicant's application to another person or to such a  
83 voter registration agency for mailing or return to the registrars of  
84 voters, such person or agency shall immediately mail or return the  
85 application. Any such voter registration agency shall also provide the  
86 applicant with an application receipt, on which the agency shall record  
87 the date that the agency received the application, using an official date  
88 stamp bearing the name of the agency. The agency shall provide such  
89 receipt whether the application was submitted in person or by mail.  
90 The town clerk shall promptly forward any application which [he] the  
91 town clerk receives to the registrars of voters. Such application form  
92 shall be provided by or authorized by the Secretary of the State.

93 Sec. 5. Subsection (d) of section 9-23g of the general statutes is  
94 repealed and the following is substituted in lieu thereof (*Effective*  
95 *January 1, 2003*):

96 (d) (1) Except as otherwise provided in this subsection, the  
97 privileges of an elector for any applicant for admission under this  
98 section and section 9-23h, as amended by this act, shall attach  
99 immediately upon approval by the registrar, and the registrars shall  
100 enter the name of the elector on the registry list.

101 (2) Except as provided in subdivision (3) of this subsection, if a  
102 mailed application is postmarked, or if a delivered application is  
103 received in the office of the registrars of voters, after the fourteenth day  
104 before an election or after the fifth day before a primary, the privileges  
105 of an elector shall not attach until the day after such election or  
106 primary, as the case may be.

107 (3) If an application is received after the fourteenth day before an  
108 election or after the fifth day before a primary by the Commissioner of  
109 Motor Vehicles or by a voter registration agency, the privileges of an  
110 elector shall not attach until the day after the election or primary, as  
111 the case may be, or on the day the registrar approves it, whichever is  
112 later.

113 (4) If on the day of an election or primary, the name of an applicant  
114 does not appear on the official check list, such applicant may present  
115 to the moderator at the polls either a notice of acceptance received  
116 through the mail [to the moderator at the polls, after which] or an  
117 application receipt that was previously provided to the applicant  
118 pursuant to section 9-19e, subsection (b) of section 9-19h, as amended  
119 by this act, subsection (b) of this section, as amended by this act, or  
120 section 9-23n, as amended by this act. If an applicant presents said  
121 notice or receipt, and either the registrars of voters find the original  
122 application or the applicant submits a new application at the polls, the  
123 registrar, or assistant registrar [,] upon notice to and approval by the  
124 registrar, shall add such person's name and address to the official  
125 check list on such day and the person shall be allowed to vote if  
126 otherwise eligible to vote and the person presents to the checkers at the  
127 polling place a preprinted form of identification pursuant to  
128 subparagraph (A) of subdivision (2) of subsection (a) of section 9-261.

129 Sec. 6. Section 9-23n of the general statutes is repealed and the  
130 following is substituted in lieu thereof (*Effective January 1, 2003*):

131 (a) As used in this section, "voter registration agency" means (1)  
132 public assistance offices, (2) all offices in the state that provide  
133 state-funded programs primarily engaged in providing services to  
134 persons with disabilities, (3) libraries that are open to the public, and  
135 (4) such other appropriate offices as the Secretary of the State shall  
136 designate in accordance with the National Voter Registration Act of  
137 1993, P.L. 103-31, as amended from time to time.

138 (b) Voter registration agencies shall (1) distribute mail voter  
139 registration application forms, (2) assist applicants for such assistance  
140 or services in completing voter registration application forms, except  
141 for applicants who refuse such assistance, [and] (3) accept completed  
142 voter registration application forms and [forthwith transmit such  
143 forms] provide each applicant with an application receipt, on which  
144 the agency shall record the date that the agency received the  
145 application, using an official date stamp bearing the name of the

146 agency, and (4) immediately transmit all such applications to the  
147 registrars of voters of the town of voting residence of the applicants.  
148 The agency shall provide such receipt whether the application was  
149 submitted in person or by mail. If a registration application is accepted  
150 within five days before the last day for registration to vote in a regular  
151 election, the application shall be transmitted to the registrars of voters  
152 of the town of voting residence of the applicant not later than five days  
153 after the date of acceptance. The voter registration agency shall  
154 indicate on the completed mail voter registration application form,  
155 without indicating the identity of the voter registration agency, the  
156 date of its acceptance by such agency, to ensure that any eligible  
157 applicant is registered to vote in an election if it is received by the  
158 registration agency by the last day for registration to vote in an  
159 election. If a state-funded program primarily engaged in providing  
160 services to persons with disabilities provides services to a person with  
161 a disability at the person's home, the agency shall provide such voter  
162 registration services at the person's home. The procedures in  
163 subsections (c), (d), (f) and (g) of section 9-23g, as amended by this act,  
164 that are not inconsistent with the National Voter Registration Act of  
165 1993, P.L. 103-31, as amended from time to time, shall apply to  
166 applications made under this section. Officials and employees of such  
167 voter registration agencies are not admitting officials, as defined in  
168 section 9-17a, and may not restore, under the provisions of section  
169 9-46a, electoral privileges of persons convicted of a felony.

170 Sec. 7. Section 9-23h of the general statutes is repealed and the  
171 following is substituted in lieu thereof (*Effective January 1, 2003*):

172 The application provided for in section 9-23g, as amended by this  
173 act, shall provide spaces for the following information for each  
174 applicant: (1) Name, (2) bona fide residence, including street number,  
175 street address, apartment number if applicable, town and zip code, (3)  
176 telephone number, (4) date of birth, (5) whether the applicant is  
177 registered as an elector in any other town in the state of Connecticut or  
178 in any other state, and if so, the applicant's last previous voting  
179 residence, (6) whether [he] the applicant is a United States citizen, (7)

180 party affiliation, if any, and (8) the applicant's signature and date of  
181 signature. The spaces for the applicant's telephone number and party  
182 affiliation shall indicate that such information does not have to be  
183 provided. No Social Security number on any such form filed prior to  
184 January 1, 2000, may be disclosed to the public or to any governmental  
185 agency. The application shall contain a notice that if the applicant does  
186 not receive a notice of acceptance or rejection of the application from  
187 the office of the registrars of voters for the municipality in which the  
188 applicant resides, the applicant should contact said office. The  
189 application shall also contain any other information, questions or  
190 instructions prescribed by the Secretary of the State.

191 Sec. 8. (NEW) (*Effective January 1, 2003*) (a) Not later than October  
192 first in each year in which a state election, as defined in section 9-1 of  
193 the general statutes, is to be held, (1) the State Elections Enforcement  
194 Commission, in consultation with the Secretary of the State, shall  
195 prepare a voter guide for such state election, and (2) the State Elections  
196 Enforcement Commission shall publish such voter guide on its web  
197 site on the Internet.

198 (b) The voter guide shall contain:

199 (1) Photographs and campaign statements submitted by candidates  
200 who are nominated or qualify as petitioning candidates for election to  
201 the office of President of the United States, Vice-President of the  
202 United States, senator in Congress, representative in Congress,  
203 Governor, Lieutenant Governor, Attorney General, State Treasurer,  
204 State Comptroller, Secretary of the State, State Senator or State  
205 Representative at the state election;

206 (2) The following three maps produced pursuant to the most recent  
207 decennial reapportionment of General Assembly and Connecticut  
208 congressional districts: One map showing the boundaries of state  
209 senatorial districts, one map showing the boundaries of state house of  
210 representatives districts, and one map showing the boundaries of state  
211 congressional districts;

- 212 (3) A description of each office to be filled at the state election;
- 213 (4) An absentee ballot application in printable format;
- 214 (5) Instructions regarding voting by absentee ballot;
- 215 (6) Information on the procedure for registering to vote;
- 216 (7) A voter registration application in printable format;
- 217 (8) The full text of each proposed constitutional amendment that
- 218 will appear on the ballot at the state election; and
- 219 (9) The explanatory text as to the content and purpose of each such
- 220 proposed constitutional amendment, which is prepared by the Office
- 221 of Legislative Research pursuant to section 2-30a of the general
- 222 statutes.
- 223 (c) Not later than one week after the date on which nominating
- 224 primaries are required to be held under section 9-423 of the general
- 225 statutes for offices to be filled at a state election, each candidate
- 226 described in subdivision (1) of subsection (b) of this section may file
- 227 with the State Elections Enforcement Commission one photograph of
- 228 the candidate, biographical information and a statement advocating
- 229 the candidate's candidacy. In the case of a candidate for the office of
- 230 President of the United States, Vice-President of the United States,
- 231 senator in Congress or representative in Congress, the state central
- 232 committee of the candidate's political party may file such photograph,
- 233 information and statement on behalf of the candidate. Each filing
- 234 under this subsection shall be on an electronic medium that the State
- 235 Elections Enforcement Commission shall prescribe. No candidate or
- 236 state central committee may change, add to or delete any photograph,
- 237 information or statement filed with the State Elections Enforcement
- 238 Commission under this section, unless such deletion is to effectuate a
- 239 complete withdrawal of the candidate's photograph, biographical
- 240 information and advocacy statement from the Internet voter guide for
- 241 the year in which the state election is being held.

242 (d) Each such candidate shall have the equivalent of one printed  
243 page of space in the Internet voter guide for such photograph,  
244 biographical information and statement. Each such candidate's page  
245 shall contain the statement, "Photograph, Information and Statement  
246 Provided by the Candidate". Each candidate's biographical  
247 information shall consist of not more than one hundred fifty words  
248 and each candidate's advocacy statement shall contain not more than  
249 two hundred fifty words. All photographs of candidates in the voter  
250 guide shall be black and white, of uniform size as prescribed by the  
251 State Elections Enforcement Commission, and shall have been taken  
252 within two years of the year of the state election.

253 (e) The State Elections Enforcement Commission, in consultation  
254 with the Secretary of the State, may adopt regulations, in accordance  
255 with the provisions of chapter 54 of the general statutes, to carry out  
256 the purposes of this section.

257 Sec. 9. (NEW) (*Effective from passage*) (a) The Secretary of the State  
258 shall provide each municipality with sufficient quantities of a poster  
259 size copy, at least eighteen by twenty-four inches, of a Voter's Bill of  
260 Rights, which shall be posted conspicuously at each polling place. The  
261 text of the Voter's Bill of Rights shall be:

262 "VOTER'S BILL OF RIGHTS

263 Every registered voter in this state has the right to:

264 (1) Inspect a sample ballot before voting;

265 (2) Receive instructions concerning how to operate voting  
266 equipment, on sample voting equipment before voting;

267 (3) Cast a ballot if the voter is in line when the polls are closing;

268 (4) Ask for and receive assistance in voting, including assistance in  
269 languages other than English where required by federal or state law;

270 (5) Vote free from coercion or intimidation by election officials or  
271 any other person; and

272 (6) Cast a ballot using voting equipment that accurately counts all  
273 votes."

274 (b) In any municipality or voting district where federal or state law  
275 requires ballots to be made available in a language or languages other  
276 than English, the Voter's Bill of Rights shall also be made available in  
277 such language or languages.

278 (c) Sample ballots shall be made available at all polling places, and  
279 any voter shall be permitted to inspect a sample ballot before voting.

280 (d) Any voter standing in line at a polling place at the time when  
281 polls are scheduled to close shall be permitted to vote.

282 Sec. 10. Section 9-7b of the general statutes, as amended by section  
283 15 of public act 01-195, is amended by adding subsection (c) as follows  
284 (*Effective from passage*):

285 (NEW) (c) The State Elections Enforcement Commission shall  
286 conduct an analysis of each state and municipal election and submit a  
287 report on its findings and recommendations to the General Assembly  
288 on or before February first following each regular election. Such  
289 analysis shall include, but not be limited to:

290 (1) A survey of local election officials, including town clerks,  
291 registrars of voters and election moderators. Such survey shall elicit  
292 responses concerning the conduct of the election, including reported  
293 problems or complaints, the observations of such local election  
294 officials, the effectiveness of state laws, perceived omissions in state  
295 laws or procedures, the adequacy of pollworker training sessions, the  
296 effectiveness of the voting machines used and any reported problems  
297 with such machines, whether polling places have adequate facilities for  
298 the number of voters served and suggestions for improving the  
299 conduct of elections;

300 (2) A study of the complaints received and disposed of by the  
301 commission concerning the administration of each election, and

302 whether state election laws and regulations were followed, and if not,  
303 what sanctions were imposed; and

304 (3) A study of the problems reported to the commission that did not  
305 result in a formal complaint being filed or which the commission  
306 lacked the authority to address."